



# K-12 EDUCATION

## A Legislative Handbook

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# Education Agencies

This section provides an overview of the major local and state agencies and committees that provide or support K-12 education in Washington.

## LOCAL DISTRICTS

SCHOOL DISTRICTS	
WHO THEY ARE	There are 295 local school districts, each governed by an elected board of directors whose members serve staggered four-year terms. Each board hires a superintendent who oversees the day-to-day operation of the district. "First class" school districts are defined as those with more than 2,000 students. Districts with fewer than 2,000 students are called "Second class" districts.
RESPONSIBILITIES	The primary responsibility of school districts is to provide an education to all children, age 5 to 21, who reside within the district boundaries. School boards have broad corporate powers to hire staff, provide and contract for educational and other services, incur debt, issue bonds, build and maintain facilities, buy property, and collect local property taxes (if authorized by the district voters).
BACKGROUND	School districts are not referenced in the Constitution, but are solely creatures of statute, and thus their powers, duties, and boundaries may be altered or abolished by statute. Washington once had over two thousand school districts.

EDUCATIONAL SERVICE DISTRICTS (ESDs)	
WHO THEY ARE	There are nine regional Educational Service Districts in the state. Each is governed by a board consisting of seven to nine members elected by the school directors of that ESD.
RESPONSIBILITIES	<ul style="list-style-type: none"><li>• Provide cooperative, administrative, and informational services to and on behalf of local school districts.</li><li>• Assist the SPI and the SBE in the performance of their duties.</li><li>• Limited powers and authority (no taxing authority; no statutory responsibility for providing education).</li></ul>
BACKGROUND	School districts were once partial subdivisions of the counties. In 1969, county offices regulating school districts were eliminated and, at the same time, regional organizations called intermediate school districts were created in statute. These intermediate school districts were renamed ESDs in 1975. ESDs receive some core state funding, but most of their budget comes through cooperative services and fee-for-service programs such as professional development.

## STATE AGENCIES

SUPERINTENDENT OF PUBLIC INSTRUCTION/OFFICE OF THE SUPERINTENDENT (OSPI)	
WHO THEY ARE	The Superintendent of Public Instruction serves as Washington's Chief State School Officer and is elected on a nonpartisan basis every four years. The OSPI employs approximately 350 people.

**SUPERINTENDENT OF PUBLIC INSTRUCTION (continued)**

RESPONSIBILITIES	<p>Washington's Constitution provides that the Superintendent of Public Instruction "shall have supervision over all matters pertaining to public schools, and shall perform such specific duties as may be prescribed by law."</p> <p>Among its duties, OSPI:</p> <ul style="list-style-type: none"><li>• Establishes state learning standards and statewide assessments;</li><li>• Monitors and consults in such areas as basic education, professional development, curriculum development, special needs programs and educational technology;</li><li>• Apportions and distributes moneys to local school districts and educational service districts;</li><li>• Provides technical assistance and administers special programs; and</li><li>• Gathers and reports information to state and federal authorities.</li></ul>
BACKGROUND	<p>The Superintendent is one of eight statewide executive officials of state government whose positions are established by the Constitution.</p>

**STATE BOARD OF EDUCATION (SBE)**

WHO THEY ARE	<p>16 members. 7 appointed by Governor; 5 elected by public school directors; 1 elected by private school directors; SPI; 2 students. Separate staff (5-6 people) hired by the Board, housed in OSPI for administrative convenience.</p>
RESPONSIBILITIES	<ul style="list-style-type: none"><li>• System Oversight - "The Big Picture"</li><li>• Student Performance &amp; Accountability (Student performance goals, school &amp; district performance goals, systems of support &amp; assistance)</li><li>• Basic Ed Act compliance (private school accreditation, 180-day waivers)</li><li>• High School Graduation requirements</li><li>• Other (math &amp; science standards review, curriculum review)</li></ul>
BACKGROUND	<p>Before 2005, all voting members were elected, 11 by public school directors and 1 by private school directors. The SPI served as a non-voting member. Also in 2005 the Board assumed the Student Performance &amp; Accountability functions previously performed by the A+ Commission, and previous Board responsibilities for educator certification were transferred to the PESB. Then in 2006, other ministerial responsibilities of the Board were transferred to the OSPI.</p>

**PROFESSIONAL EDUCATOR STANDARDS BOARD (PESB)**

WHO THEY ARE	<p>12 members. Appointed by Governor, majority active classroom-based practitioners. Legislation in 2009 reduced size of Board. Separate staff (13 people) hired by the PESB, housed in OSPI for administrative convenience.</p>
RESPONSIBILITIES	<p>Educator Certification (including standards and procedures for certification of teachers, ESAs, principals, administrators; approval of educator preparation programs; alternative routes to certification)</p>
BACKGROUND	<p>The PESB was established in 2000 as an advisory committee to the State Board of Education, which retained the actual authority for certification until 2005 when the PESB received full policy authority for all certification matters. In 2009, the PESB also received management authority over the 5-6 staff of the certification office, who previously reported to the SPI.</p>

**OFFICE OF THE EDUCATION OMBUDSMAN (OEO)**

WHO THEY ARE	Separate office within the Office of the Governor, with the Education Ombudsman appointed by the Governor
RESPONSIBILITIES	<ul style="list-style-type: none"><li>• Serves a voluntary mediator function between parents and school districts, but does not act on behalf of either party and cannot compel action by either party.</li><li>• Promotes parent involvement and provides information to parents about the public school system.</li></ul>
BACKGROUND	Established in 2006.

**OTHER MAJOR COUNCILS OR COMMITTEES****QUALITY EDUCATION COUNCIL (QEC)**

WHO THEY ARE	8 legislators, 4 education agency heads (SPI, SBE, PESB, DEL), Governor's Office, plus one member of the Educational Opportunity Gap Committee. Staffed by OSPI, with assistance from other agency staff as needed.
RESPONSIBILITIES	<p><u>Short-Term:</u> Provide policy guidance and receive progress reports and recommendations from various working groups assigned to implement Basic Education reform legislation (ESHB 2261 in 2009 and SHB 2776 in 2010).</p> <p><u>Long-Term:</u></p> <ul style="list-style-type: none"><li>• Oversee ongoing implementation of Basic Education reform legislation and "an evolving Program of Basic Education."</li><li>• Develop strategic recommendations and set measurable goals and priorities for the education system.</li></ul>
BACKGROUND	Established in 2009. Somewhat modeled after an entity in Oregon that is responsible for making recommendations to the Legislature on their basic education program and, in particular, the financing needed to support it.

**EDUCATIONAL OPPORTUNITY GAP OVERSIGHT & ACCOUNTABILITY COMMITTEE**

WHO THEY ARE	6 legislators, Education Ombudsman, Center for the Improvement of Student Learning (CISL), 5 representatives of major student populations (Native American, African American, Hispanic American, Asian American, Pacific Islander American). Staffed by the CISL, an office within the OSPI. However, funding for CISL was eliminated during the 2011 legislative session.
RESPONSIBILITIES	<ul style="list-style-type: none"><li>• Synthesize the 2008 achievement gap studies into a single strategic plan.</li><li>• Recommend to SPI, SBE, PESB policies and strategies to close the achievement gap in a variety of topic areas.</li></ul>
BACKGROUND	Established in 2009 as a response to five achievement gap studies commissioned by the Legislature in 2008. Originally named the Achievement Gap Committee and renamed in 2011.

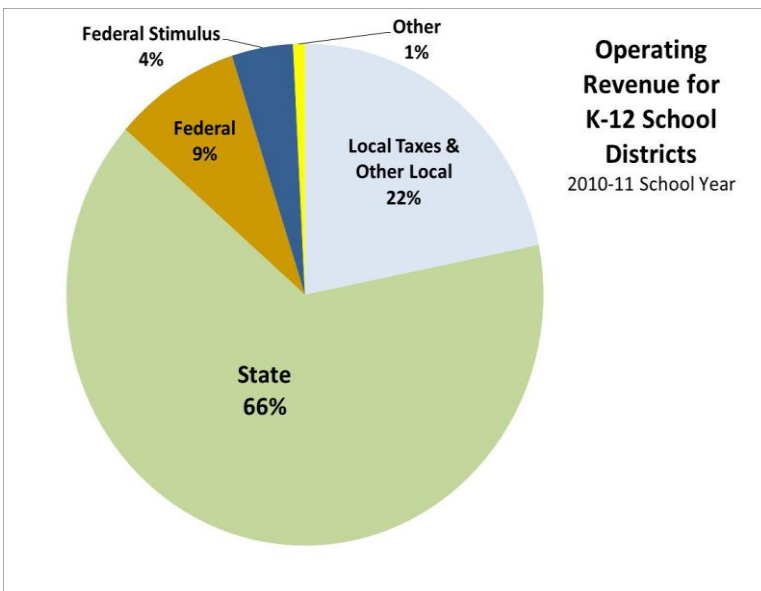
# School District Finance

## OVERVIEW

For the 2010-11 school year, Washington's 295 school districts received a total of just over \$9.9 billion in operating revenue from all sources.

In Washington, two-thirds of school district revenue comes from the state. This is higher than the national average of roughly 50 percent.

State	\$6,416 million
Local	2,166
Federal	854
Federal Stimulus	413
Other	79
<b>Total Revenue</b>	<b>\$9,928 million</b>



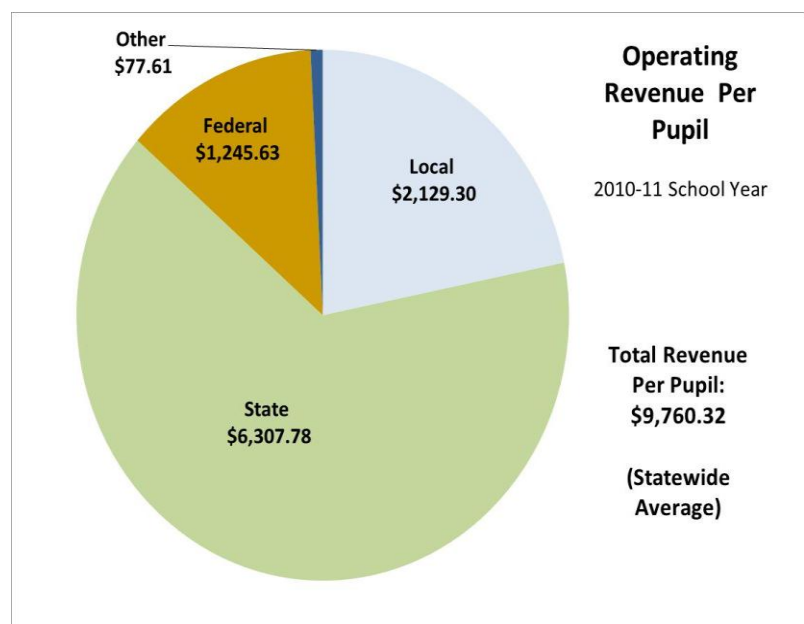
Other states rely more heavily on local taxes to support schools, which makes up only 20 percent of the total in Washington.

Ordinarily, federal funding makes up about 8 to 10 percent of overall school district revenue. But for several years, the federal share has been temporarily increased due to Federal Stimulus funding through the American Recovery and Reinvestment Act (ARRA).

School districts received about \$9,760 per pupil in total revenue in 2010-11 for operating expenses. About \$6,300 per pupil came from the state.

These figures represent a *statewide average* of all school districts. Each district's proportion and per pupil revenue varies by the characteristics of its students, size of its voter-approved levy, and its eligibility for certain types of federal funding.

Source: School District and ESD Financial Reporting Summary 2010-11 School Year, Detail General Fund Revenue and Other Financing Sources Report

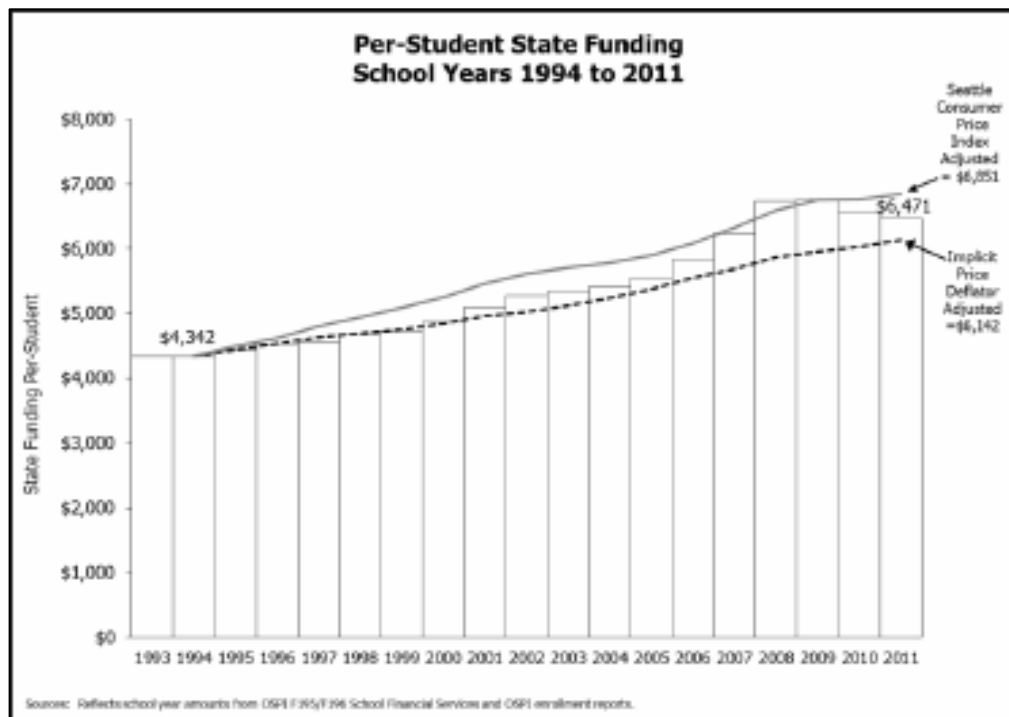
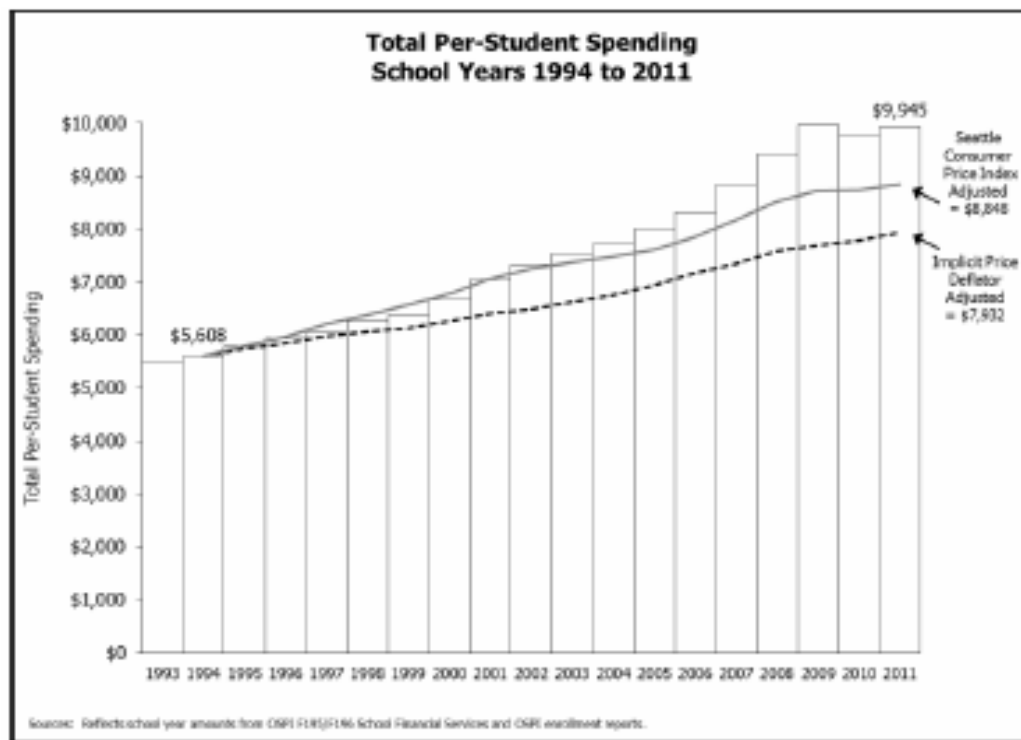


## OVER TIME

Total per-student spending from all fund sources increased from \$5,608 in 1994 to \$9,945\* in 2011.

This represents an increase of approximately 77 percent over this period and exceeds both the CPI and the IPD, two commonly-used inflation indices.

\*There is a slight difference between revenues shown on the previous page and spending shown here.

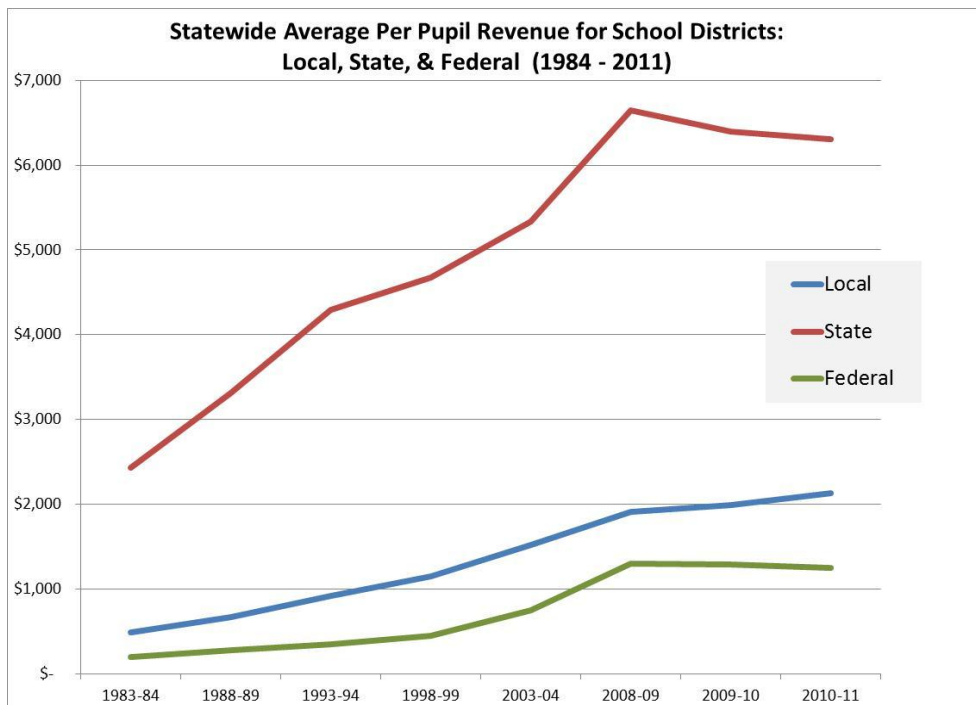


Per-student funding from *state* sources increased from \$4,342 in 1994 to \$6,471 in 2011.

This represents approximately a 49 percent increase over this period and exceeds the IPD, but not the CPI.

Nominal (uninflated) per-student state funding decreased between 2009 and 2011.

Source: Senate Committee Services, "A Citizen's Guide to Washington State K-12 Finance" 2012.



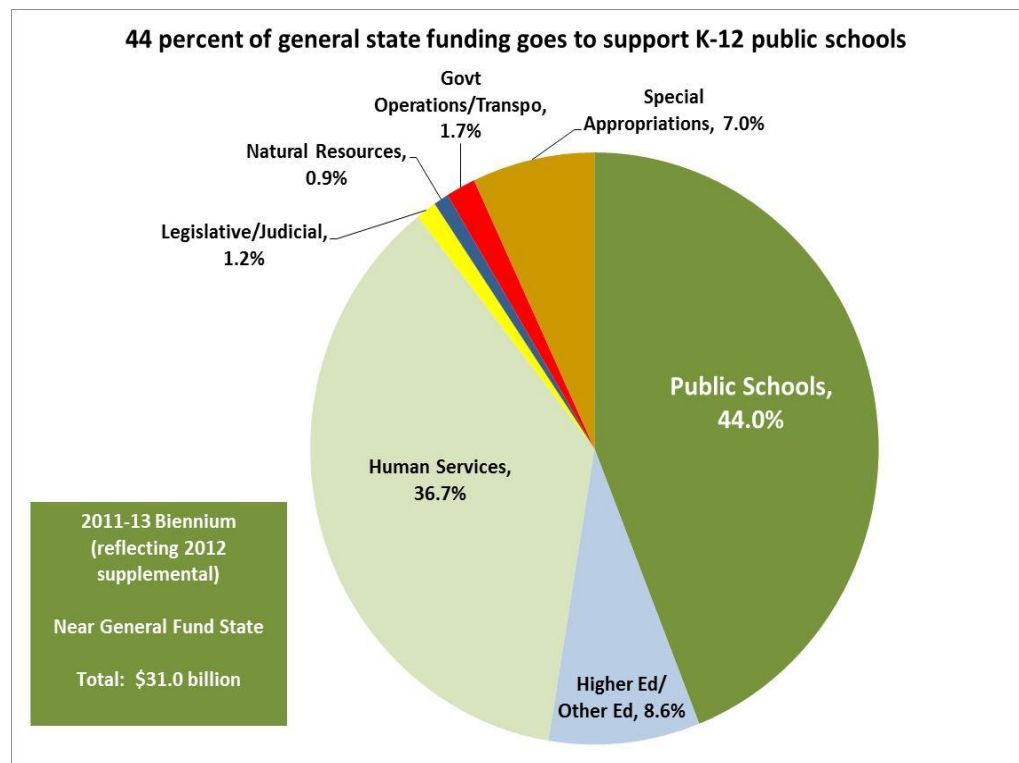
The graph at the left presents another view of funding over time and shows the relative increase in per-pupil funding from all sources (local, state, and federal) since 1984.

Source: OSPI Organization and Financing of Washington Public Schools - 2011.

A frequently-used reference point is the proportion of general state funding that goes to support K-12 public schools.

For the 2011-13 biennium, 44 percent of the general state operating budget went to K-12: \$13.65 billion out of a total \$31.0 billion.

Source: Legislative Budget Notes 2011-13 Biennium, including 2012 supplemental.



## STATE FUNDS - DETAIL

### School Districts - State Revenue 2010-11 School Year

Basic Education/Appportionment	\$ 4,872,133,689
Special Education	637,231,649
Local Effort Assistance	293,320,065
Pupil Transportation	260,376,708
Learning Assistance Program	138,132,777
Transitional Bilingual	78,415,566
Special & Pilot Programs	50,120,648
Institutional Education	16,306,269
State Forests	15,358,140
Highly Capable	8,687,083
School Food Services	6,850,523
Day Care	2,320,828
Student Achievement Fund	1,332,673
Other	35,426,540
Total State Revenue	\$ 6,416,013,158

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Basic Education/ Apportionment	\$4,872.1 million
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76 percent of state funding for school districts is driven out through the general apportionment funding formula to support Basic Education and the general operation of schools. Funding in 2010-11 was based on annual average full-time equivalent student enrollment and provides allocations for certificated instructional, administrative, and classified staff as well as nonemployee-related costs. There is also funding for career and technical education and enhanced funding for small schools and small school districts.

Starting in the 2011-12 school year, funds are to be allocated based on a "prototypical school" funding formula that assumes certain class sizes at various grade levels and provides allocations for other building-level staff (principals, librarians, counselors, aides) for elementary, middle, and high schools. The formula contains allocations for maintenance, supplies, and operating costs (MSOC) and district-wide staff and central administration. The formula drives dollars to school districts, but districts make decisions about staffing and resource allocation among schools at the local level.

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## Special Education

\$637.2 million

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State funds to support education for students with disabilities is provided over and above regular funding for Basic Education. Districts receive .9309 times the per-pupil amount for Basic Education for each student in grades K-12, and 1.15 times this amount for special education students aged Birth to three. Formula funding for K-12 students is capped at 12.7 percent of the district's student population, with additional safety net funding available through an application process for particularly high cost students and unusual situations.

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## Local Effort Assistance

\$293.3 million

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Created in 1987, Local Effort Assistance (LEA) is state funding provided to school districts with above average property tax rates due to low property valuations. To qualify for the assistance, a district must make the effort to pass a local levy. For 2011 through 2017, maximum matching assistance is at the school district's 14 percent levy rate. 221 out of 295 school districts qualified in Calendar Year 2011 (75 percent).

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## Pupil Transportation

\$260.4 million

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In 2010-11, state funds for pupil transportation were allocated based on a formula that estimated the cost of transporting students who live more than one radius mile from school. Funding was also provided for K-5 students who live within one mile, which could be used to mitigate hazardous walking conditions. Beginning in 2011-12, pupil transportation funds are to be allocated based on a formula that calculates expected costs through a statistical regression analysis. Full funding under the new formula is being phased in.

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## Learning Assistance Program

\$138.1 million

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LAP is a state program that provides funding for school districts to offer supplemental instruction and support for struggling students. Funds are allocated based on the proportion of low income students in the district, on the presumption that there is an inverse relationship between student poverty and student achievement.

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## Transitional Bilingual Program

\$78.4 million

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Funding is also allocated for supplemental instruction for students who are English Language Learners. Funds are allocated for each student who does not pass a standardized English proficiency assessment that measures reading, writing, listening, and speaking.

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## Special and Pilot Programs

\$50.1 million

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This category of state funding represents a number of diverse and ever-changing special programs with funds typically allocated through competitive grants or other specific eligibility criteria. Examples include beginning teacher mentor support, drug and alcohol prevention, alternative education, environmental education, dropout prevention, and principal internships.

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Institutional Education	\$16.3 million
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Supplemental funding is provided to school districts who must offer education and services to students housed in various types of institutions, including residential habilitation centers, state group homes, facilities for juvenile delinquents, and youth in detention and state prisons.

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State Forests	\$15.3 million
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The State Department of Natural Resources distributes funds to school districts from the lease of state forest lands or the sale of forest and mineral products from those lands.

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Highly Capable	\$8.7 million
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Supplemental funds are provided based on 2.314 percent of each school district's student population to offer enhanced learning opportunities for highly capable (gifted) students.

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School Food Services	\$6.8 million
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Most funding for school food services is federal, but the state is required to provide a minimum matching amount based on the number of federally-supported meals served.

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Day Care	\$2.3 million
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Some school districts receive funds from state agencies such as the Department of Social and Health Services for day care services and programs provided by the district.

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Student Achievement Fund	\$1.3 million
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The Student Achievement Fund was created by Initiative 728 in 2000. Funds could be used to reduce class size, offer early learning and extended learning opportunities for students, and provide professional development for educators. Funding for the Student Achievement Fund was eliminated for the 2010-11 school year and the law was repealed in 2012.

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Other	\$35.4 million
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School districts are asked to record "other" state funds received, including monies under contract with state agencies other than the OSPI.

## FEDERAL FUNDS - DETAIL

### School Districts - Federal Revenue 2010-11 School Year

Federal Stimulus	\$ 412,536,731
Special Education	232,568,480
School Food Services	229,522,512
Title I	173,100,517
School Improvement	60,310,766
Impact Aid	46,262,535
Misc. Federal Grants	29,419,872
Headstart	16,934,506
Limited English Proficiency	15,562,696
Federal Forests & In Lieu of Taxes	14,617,894
Migrant	14,048,211
Secondary Vocational Ed	8,306,525
Indian Education	3,775,270
Other	10,034,310
Total Federal Revenue	\$ 1,267,000,825

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Federal Stimulus	\$412.5 million
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Federal funding from the American Recovery and Reinvestment Act (ARRA) was used in 2010-11 to offset reductions in general state funding.

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Special Education	\$232.6 million
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Funding through the federal Individuals with Disabilities Education Act (IDEA) is allocated on a per-student basis to provide services to students with disabilities. In addition, approximately \$18 million is reimbursement for Medicaid-eligible services provided for these students.

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School Food Services	\$229.5 million
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School districts receive funds to operate school lunch and breakfast programs and provide free and reduced price meals for low income children. Included in the amount shown is \$17.6 million in commodities for school food programs from the U.S. Department of Agriculture.

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Title I	\$173.1 million
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Title I refers to the Elementary and Secondary Education Act (ESEA), which was reauthorized in 2001 as the No Child Left Behind Act. There are a number of subgrants under the Title I umbrella, but the largest is Part A, Basic which provides funding to school districts based primarily on the number of low income children (according to Census data) in a district. Funds must be used to help struggling students improve their achievement.

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School Improvement	\$60.3 million
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School districts receive grants from a number of other Titles under the ESEA, including Title II (teacher quality and educational technology); Title IV (safe and drug free schools and 21st century community learning centers); and Title V (innovative programs). Each grant has separate criteria, purposes, and allowable uses.

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Impact Aid	\$46.3 million
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Financial assistance is provided for those school districts that are impacted by federal activities, such as military bases and the children associated with the soldiers stationed at them. The intent is to compensate the school district for the loss of taxes on federal property.

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Misc. Federal Grants	\$29.4 million
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School districts are asked to record "other" federal grant funds received, including monies received directly from a federal agency or another state agency rather than through the OSPI.

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Headstart	\$16.9 million
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Headstart is a federal comprehensive preschool program for low income children and their families. The program is administered by the Department of Early Learning through contracted service providers, many of which are school districts.

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Limited English Proficiency	\$15.6 million
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Funding under Title III of the ESEA is provided to supplement instruction for English Language Learners. Funds are distributed to districts primarily based on their proportionate share of these students.

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Federal Forests & In Lieu of Taxes	\$14.6 million
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Similar to Impact Aid, these are payments to school districts to offset the loss of property taxes due to the significant presence of federal lands. However, these revenues are based on income from activities on the federal land (timber, mining, etc.) To avoid disproportionate benefit to a few districts, state revenue otherwise payable through general apportionment is reduced.

Migrant	\$14.1 million
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Another part of Title I, Migrant funds are provided to school districts to establish and improve educational services and programs for children whose families are migratory farmworkers.

Secondary Vocational Ed	\$8.3 million
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Federal funds through the Perkins Act help school districts improve the standards, curriculum, and alignment with postsecondary training of their career and technical education programs, both in high schools and in skill centers. Also included is \$667,000 for youth training programs.

Indian Education	\$3.8 million
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Two funding streams support programs designed to meet the educational and cultural needs of Native American students. The larger grant (about \$3.5 million) comes from the U.S. Department of Education; the remainder is from the Bureau of Indian Affairs.

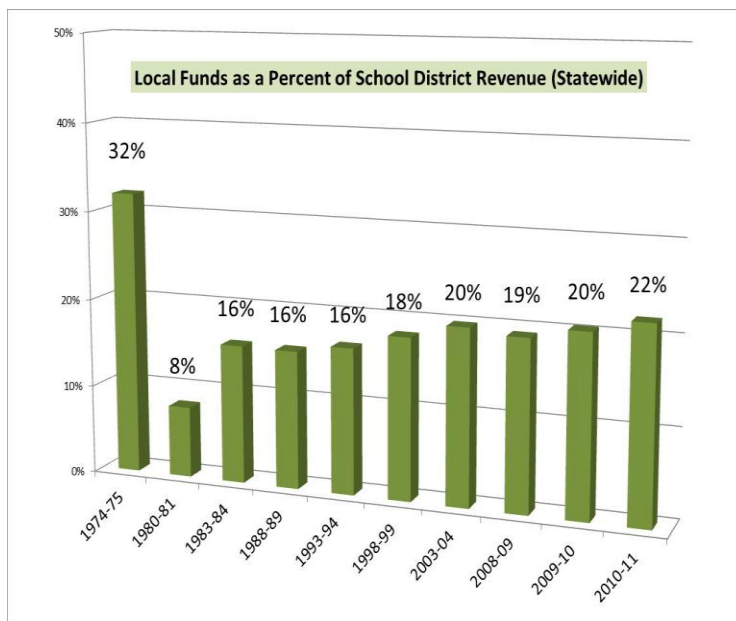
## LOCAL FUNDS - LEVIES

84 percent (\$1.82 billion) of the revenue received by school districts from local sources in 2010-11 was generated by property tax levies approved by district voters. The remainder was fees (co-pays for meals and tuition for voluntary programs), donations, sale of goods, rent and lease income, investment earnings, and a variety of other sources.

Levies Generally. The State Constitution authorizes school districts to levy local property taxes to support public schools as long as the voters of the district approve. A Constitutional amendment approved in 2007 allows a simple majority voter approval for Maintenance & Operations (M & O) levies. Levies to pay for bonds for capital projects still require 60 percent voter approval. M & O levies may be authorized for up to four years. Capital levies may be up to six years and are limited to specified costs to repair, improve, or construct facilities.

"Facilities" can include major technology systems; sometimes Capital levies run for this purpose are called Technology levies. Monies from the sale of bonds, which are paid for by a Debt Service levy, are restricted to land purchase and major capital projects. Districts are authorized to run two-year Transportation levies for bus purchases, but few do.

Levy Lid. The original Levy Lid law, which was enacted in 1977 and took effect in 1979, sought to limit M & O levies to 10 percent of a school district's state Basic Education allocation. School districts with historically higher levies were grandfathered, with the intent to move all districts to 10 percent by 1982. In the past 35 years, the Levy Lid law and calculation of the lid have been amended numerous times. Legislation enacted in 2010 temporarily raises the lid by 4 percent starting in the 2011 collection year through 2017. For 2011 the lid was 28 percent, with 91 school districts still grandfathered at a higher lid (the highest being 37.9 percent in Kahlotus, Franklin County).



Levy Base. The base against which the levy lid is calculated has also been adjusted and amended over time. The levy base now includes most state funding (except for certain temporary or special projects) and federal funding that a district receives. Since 2004, the base has also included amounts that would have been paid to school districts under I-728 and I-732, had those Initiatives been fully funded by the Legislature. The timeframe for this artificial base expansion has been extended several times. 2010 legislation extended the expansion to 2017 and adds to the base monies that would have otherwise been paid for enhanced K-4 staff allocations.

# K-12 Constitutional Context

## WASHINGTON STATE CONSTITUTION - ARTICLE IX

**SECTION 1.** It is the paramount duty of the state to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste, or sex.

**SECTION 2.** The legislature shall provide for a general and uniform system of public schools....

In light of these education provisions in the state's Constitution, the courts have played a considerable role in school funding over the past 40 years. The most recent case is *McCleary v. State* in which the State Supreme Court issued its decision in January 2012. In the *McCleary* decision, the Court retained jurisdiction over the case and will require periodic reports from the Legislature that summarize actions taken toward achieving Constitutional compliance.

### McCleary v. State (2012) (Supreme Court)

- Art. IX, sec. 1 confers on children in WA a positive constitutional right to an amply funded education.
- The word "education" means the basic knowledge and skills needed to compete in today's economy and meaningfully participate in the state's democracy. The current substantive content of the necessary basic knowledge and skills is found in: (1) the broad educational concepts outlined in School Funding I (*see below*); (2) the four Basic Education learning goals; and (3) the Essential Academic Learning Requirements.
- The program of Basic Education is not etched in constitutional stone. The legislature has an obligation to review the program as the needs of students and the demands of society evolve.
- The education required consists of the *opportunity* to obtain the knowledge and skills; it does not reflect a right to a guaranteed educational outcome.
- The word "ample" means fully, sufficient, and considerably more than just adequate. Ample funding for basic education must be accomplished by means of dependable and regular tax sources.
- The State has not complied with its duty to make ample provision for the education of all children in Washington. However, however, if fully funded, the recently enacted education reform package found in ESHB 2261 (2009) will remedy deficiencies in the K-12 funding system.
- The Court defers to the Legislature's chosen means of discharging its constitutional duty, but retains jurisdiction over the case to facilitate progress in the State's plan to fully implement the reforms by 2018.

Other major school funding cases are summarized below.

### School Funding I (1978) (Supreme Court opinion also referred to as Doran I, titled after trial court Judge Robert Doran who issued the decision that was before the higher court)

- Article IX creates a duty and a right.
- All children residing within the state's borders have a right to be amply provided with an education.
- This right is constitutionally paramount and must be achieved through a general and uniform system of public schools.
- The duty to provide this education is imposed on the state, not school districts.
- The state complies with this duty only when it makes ample provision for a program of basic education through regular and dependable tax sources.
- Excess levies are not regular and dependable tax sources, because they vary by year and by district.
- The legislature may authorize use of excess levies only for enrichment programs that the state is not required to support under its basic education obligation.
- The state may not cause districts to fund basic education with local levy funding.

School Funding II (1983) (Trial court decision issued by Judge Doran; not appealed. Referred to as Doran II.)

- Once the Legislature has defined and fully funded basic education, it may not reduce the level of funding merely because of a budget shortfall; however, basic education formulae and definitions are not cast in "constitutional concrete."
- The state must fund "salaries necessary to assure local school districts the ability to hire and retain competent staff."
- Items within the state's definition of basic education are not restricted to the general apportionment formulas and ratios found in the Basic Education Act (BEA).
- The state's funding obligation includes special education, some transportation, bilingual education, remedial education, and institutional education.
- Basic education does *not* include gifted programs, food programs, "urban factors", extracurricular activities, desegregation costs, deferred maintenance, enrollment decline costs.

School Funding III (1987) (Trial court decision issued by Judge Doran; not appealed. Sometimes referred to as Doran III.)

- State may fund special education based on assumptions about statewide averages as long as a "safety net" is provided.

McGowan v. State (2002) (Supreme Court)

- Statutes regarding basic education must be read in light of prior constitutional rulings.
- Calling the COLA basic education doesn't make it so as a matter of constitutional law.
- Even though the statute declared that state-funded COLAs were within the state's basic education funding obligation, they were not.

Brown v. State (2005) (Supreme Court)

- Moving funding for three Learning Improvement Days (LID) onto the state teacher salary did not bring LID days into the basic education definition because the Legislature had not made an "explicit declaration" that LID days were a part of basic education.
- School Funding II is "well reasoned" but not binding.
- Court questions whether the Legislature can "bindingly designate" programs to be basic education "in the constitutional sense."
- Court declares that it has never held that the BEA defines the scope of paramount duty.

School Districts' Alliance v. State (2010) (Supreme Court)

- Existing funding mechanism for special education does not violate Article IX, sec. 1.

Federal Way School District v. State (2009) (Supreme Court)

- "General and uniform" provision found in Article IX, sec. 2 requires uniformity in the educational program rather than in the minutiae of funding, and does not require uniform state funding allocations for certified instructional staff (CIS), classified, and administrative salaries.
- Court rejects argument that Article IX, sec. 1 requires uniform salary allocations or formulas.

# What is "Basic Education?"

The words "Basic Education" do not appear in the State Constitution. However, since the late 1970's, they have come to mean the program of education that the state must provide to children to meet the requirements of Article IX, including providing the funding necessary to support it. It is up to the Legislature to define and fund this program, and up to the Courts to determine the extent to which the Legislature's actions fulfill the Constitutional obligations.

**1. Basic Education Goals.** The Legislature has stated that "a basic education is an evolving program of instruction intended to provide students with the opportunity to become responsible and respectful global citizens, to contribute to their economic well-being and that of their families and communities, to explore and understand different perspectives, and to enjoy productive and satisfying lives." To these ends, the goal of each school district is to provide opportunities for every student to develop an essential set of knowledge and skills, which form the basis for the state's learning standards or "Essential Academic Learning Requirements."

**2. Basic Education Program.** The main Instructional Program of Basic Education is defined with minimum components that must be provided by school districts:

- 180 school days per school year plus specified instructional hours per year.
- Full-day kindergarten (being phased in from half-day K, to be implemented statewide by 2017-18).
- Instruction in the state Essential Academic Learning Requirements (EALRs).
- Instruction providing the opportunity for students to complete 24 credits for graduation (also to be phased in, but the timeline has not yet been adopted).
- Programs for specified groups of students: underachieving students (Learning Assistance Program), English language learners (Transitional Bilingual Instructional Program), students with disabilities (Special Education), and Highly Capable students.

## Basic Education Goals

(1) Read with comprehension, write effectively, and communicate successfully in a variety of ways and settings and with a variety of audiences;

(2) Know and apply the core concepts and principles of mathematics; social, physical, and life sciences; civics and history, including different cultures and participation in representative government; geography; arts; and health and fitness;

(3) Think analytically, logically, and creatively, and to integrate technology literacy and fluency as well as different experiences and knowledge to form reasoned judgments and solve problems;

(4) Understand the importance of work and finance and how performance, effort, and decisions directly affect future career and educational opportunities.

The Legislative definition of Basic Education also includes educational programs for students in various types of state facilities as well as transportation of eligible students to and from school.

**3. Basic Education Funding Formulas.** State funding to support Basic Education programs is allocated through various formulas whose details are specified in statute and through the omnibus appropriations act. The formula for the Instructional Program is based on the types of building staff and non-staff resources assumed to be needed to operate "prototypical schools" of a certain size and grade span, as well as district-wide staff and administration. Funding assumptions for special programs (LAP, Special Education, etc.) are also outlined. A new funding formula for pupil transportation is being phased in.

# Major Education Legislation: 2007 - 2012

## 2007

### **2SHB 1573 - Building Bridges Dropout Prevention**

- Directs OSPI to create the Building Bridges Program to award grants to local partnerships to identify, assist, and support students at risk of dropping out.
- Establishes a state-level work group to make recommendations to the Legislature, develop and track performance measures, identify best practices, and examine issues relative to prevention, intervention, and retrieval of drop-outs.

### **2SHB 1906 - Math and Science Education (Washington Learns)**

- Directs implementation of several Washington Learns recommendations relative to math and science education, including: revised essential academic learning requirements and grade level equivalencies; amended high school graduation requirements to include a third credit of math; recommended curricula; and new alternative route programs for teacher certification.

### **EHJR 4204 - Simple Majority**

- Proposes an amendment to the Washington Constitution allowing authorization of excess property taxes for school districts by a simple majority of the voters voting in the levy election. (EHJR 4204 was put on the 2007 general election ballot and passed by approximately 51 percent.)

### **E2SSB 5841 - Education Programs (Washington Learns)**

- Institutes a phase-in of voluntary all-day kindergarten.
- Creates demonstration projects in grades K-3 education and English as a Second Language.
- Expands the goals of the Basic Education Act.
- Requires OSPI to streamline the special education safety net program.

### **E2SSB 5843 - Education Data (Washington Learns)**

- Creates the Education Data Center within the Office of Financial Management (OFM).
- Directs OSPI to conduct a feasibility study on expanding a longitudinal student-teacher data system, with a final report to the Legislature by November 1, 2008.
- Requires school districts to submit specified student-teacher data to OSPI.

### **2SSB 5955 - Educator Professional Development (Washington Learns)**

- Establishes a public-private partnership to develop, pilot, and implement the Washington State Leadership Academy to enhance leadership skills of school and district administrators.
- Tasks the PESB with: adopting new math standards and certification requirements; developing a uniform, externally administered professional-level teacher certification assessment; and reviewing preparation requirements to focus on diversity in cultural knowledge and respect.
- Creates an initiative to improve mathematics, science, and targeted secondary reading education through professional development delivered through a collaboration of OSPI and ESDs.
- Establishes the Recruiting Washington Teachers Program.

### **ESSB 6023 - WASL and Graduation**

- Creates a temporary policy allowing students to graduate without passing the high school math WASL, through the class of 2012. Moves the science graduation requirement to the class of 2013.
- Makes changes regarding the WASL and approved alternative assessments.

## **2008**

### **ESHB 3166 - WASL and End of Course Assessments**

- Directs OSPI to redesign the elementary and middle school assessments by shortening test administration and reducing the number of open-ended questions.
- Establishes timelines for implementation of end of course assessments for high school math.

### **2SSB 6377 - Career and Technical Education**

- Increases rigor and standards for secondary CTE programs and provides for CTE/academic course equivalencies. Increases focus of CTE on high demand programs.
- Creates model programs and other initiatives in CTE, along with increased communication and promotion of CTE learning opportunities.

### **E2SSB 6673 - Learning Opportunities**

- Creates the Extended Learning Opportunities program for students who are not on track to meet the state or local high school graduation requirements.
- Creates a LAP enhancement for school districts with high ELL populations.
- Directs PESB to convene a work group to develop recommendations for increasing teacher knowledge, skills, and competencies to address the needs of English language learners.

## **2009**

### **ESHB 1741 - Revocation of Certification**

- Expands the list of crimes that require dismissal or certificate revocation for school employees.

### **ESHB 2261 - Basic Education**

- Redefines the program of Basic Education and establishes a framework for a new funding formula to allocate state dollars to school districts to support basic education.
- Creates a new pupil transportation funding formula.
- Directs the SBE to continue work on an accountability system and directs the PESB to continue work on performance-based educator certification.
- Creates the Quality Education Council and various working groups to implement the provisions.

### **SSB 5248 - Interstate Compact - Military Children**

- Enacts the Interstate Compact on Educational Opportunity for Military Children.

### **SSB 5410 - Online Learning**

- Creates the Office of Online Learning in OSPI and establishes an online learning provider approval process. Requires multidistrict online learning providers to be approved.
- Requires school districts to develop policies regarding online learning.

## **2SSB 5973 - Achievement Gap**

- Creates the Achievement Gap Oversight and Accountability Committee (AGOAC).
- Requires annual reports to the Legislature regarding strategies to address the achievement gap and improvement of education performance measures for groups of students.

## **2010**

### **E2SHB 1418 - Dropout Reengagement**

- Establishes a statewide dropout reengagement program through model contracts.

### **SHB 2776 - Basic Education Funding Formulas**

- Establishes details and baseline values for the basic education funding formula in statute.
- Provides a schedule for increasing funding allocations for maintenance, supplies, and operating costs and to reduce K-3 class size. Provides a schedule for phasing in full-day kindergarten and full funding of a new pupil transportation formula.

### **SHB 2893 - Levies /Levy Equalization**

- Increases local effort assistance from 12 percent to 14 percent for 2011 to 2017.
- Lifts the levy lid by 4 percentage points for 2011 to 2017.
- Allows districts to return to voters in the middle of a levy cycle for additional levy authority.
- Extends, through 2017, the authorization for districts to include in their levy bases amounts the districts would have received for I-728 and I-732 had these two initiatives not been amended.
- Includes K-4 staffing enhancement dollars in the levy base, should the state reduce these moneys.

### **E2SHB 3026 - Civil Rights**

- Adds a new chapter to the school code paralleling the Sexual Equality chapter and prohibiting discrimination on the basis of race, creed, religion, color, national origin, sexual orientation, veteran or military status, disability, or the use of trained guide or service animal by a person with a disability.

### **E2SSB 6696 - Education Reform (Race to the Top)**

- Establishes an accountability framework and process for low achieving schools and districts.
- Requires revised evaluation systems for teachers and principals and specifies minimum criteria.
- Makes changes with respect to educator preparation and alternative route certification programs.
- Requires teacher preparation programs to administer an evidence-based assessment of teaching effectiveness to all preservice candidates.
- Authorizes OSPI to adopt the Common Core Standards but requires review by the Legislature.

### **2SSB 6702 - Juveniles in Adult Jails**

- Enacts a statutory framework for providing education programs for juveniles in adult jails.

## 2011

### **ESHB 1410 - Science Assessments**

- Requires students starting with the Class of 2015, rather than 2013, to meet the state standard on the high school science assessment for purposes of graduation.
- Authorizes various alternative assessments in science.
- Establishes a Biology end-of-course assessment as the high school science assessment, beginning in 2011-12, and authorizes OSPI to participate with multi-state consortia in developing science standards and assessments.

### **HB 1412 - Math Assessments**

- Allows students in the Class of 2013 and 2014 to meet the state standard in mathematics using scores from one end-of-course assessment (Algebra or Geometry) instead of two.

### **E2SHB 1599 - PASS Program**

- Establishes the Pay for Actual Student Success (PASS) Program to invest in proven dropout prevention programs and provide a financial award for high schools that demonstrate improvement in dropout reduction indicators, both subject to appropriated funds.
- Directs OSPI to create a metric to measure improvement.
- Specifies four programs for investment in prevention and intervention.

### **ESHB 2065 - Alternative Learning Experience Programs**

- Establishes statutory definitions and requirements for ALE, including prohibiting payment of parent stipends and prohibiting provision of educational experiences for ALE students unless substantially similar opportunities are available for regularly enrolled students.
- Requires all online school programs to be approved by OSPI, not only multi-district programs.

## 2012

### **ESHB 2586 - WAKIDS Kindergarten Readiness Assessment**

- Provides that, in addition to being implemented in state-funded full day kindergarten programs, implementation grants will be offered to other schools to implement the WAKIDS assessment.
- Requires OSPI and DEL to convene a workgroup to advise on implementation.

### **SHB 2799 - Collaborative Schools for Innovation and Success Pilot Project**

- Establishes a five-year pilot project where Colleges of Education and school districts select a low-performing elementary school and implement research-based models of school improvement and educator preparation.

### **ESSB 5895 - Teacher & Principal Evaluation Systems**

- Adds definitions and specificity to the revised teacher and principal evaluation systems established under E2SSB 6696 (2010).
- Requires districts to adopt one of three preferred frameworks identified by OSPI.
- Requires student growth data to be a substantial factor in at least three evaluation criteria.
- Phases-in implementation in districts starting in 2013-14 with full implementation by 2015-16.
- Requires evaluations to be one of multiple factors in human resource practices beginning 2015-16.

# Student Assessment

The foundational theory of education reform is to: a) establish clear standards for what students should know and be able to do; b) measure student performance in achieving those standards; and c) hold the school system accountable for ensuring that students have the opportunity to meet the standards. Thus a significant feature of reform since the 1990's has been development and implementation of common, statewide systems of student assessment.

Washington's 1992 reform legislation directed the Commission on Student Learning to develop a statewide student assessment system, which was then established in 1993 legislation (ESHB 1209). The implementation timeline was subsequently modified over time. The federal No Child Left Behind Act of 2001 imposes significant requirements on state assessment systems in terms of what and who must be assessed, the nature and design of the assessments, and what achievement data must be reported.

The graphic illustrates the grade levels and subjects currently assessed, including the year the assessment was first implemented statewide. Reading and mathematics at grades 4, 7, and 10 and the science assessments are for both state and federal purposes. Writing is a state-only requirement. The remaining assessments are conducted as a result of the NCLB. A Listening assessment was discontinued in 2004. Social Studies, Civics, the Arts, and Health & Fitness are measured at the local level using classroom-based assessments or other strategies in at least one elementary, middle, and high school grade.

Grades	Reading	Writing	Mathematics	Science
3	2006		2006	
4	1998	1998	1998	
5	2006		2006	2005
6	2006		2006	
7	2001	2001	2001	
8	2006		2006	2004
10	2001	2001	2001	2004

Since 2007 the following changes have been made to the state assessment system:

- *Shorten the test.* In 2007 and again in 2008, the Legislature directed the OSPI to reduce open-ended and extended response items to reduce scoring costs and testing administration time.
- *End-of-Course.* Starting in 2011, high school mathematics is tested using a set of two end-of-course assessments in Algebra and Geometry. In 2012 a Biology end-of-course assessment became the high school science assessment.
- *Name Change.* In 2009 Superintendent Dorn re-named the Washington Assessment of Student Learning (WASL) as the Measures of Student Progress (MSP) for elementary and middle grades, and the High School Proficiency Exam (HSPE) for high school.
- *Online Administration.* Superintendent Dorn also initiated a move to online testing, which is now available in grades 3-8 for reading and math and grades 5 and 8 for science.

# Graduation Requirements

High school graduation requirements are established in one of three ways:

1. By the state - in statute;
2. By the state - under rules adopted by the State Board of Education; and
3. By local school districts - who must meet but may exceed state minimums.

Statute. It is a statutory requirement that, beginning with the class of 2008, students must earn a Certificate of Academic Achievement (CAA) by passing the high school assessment in reading, writing, and mathematics in order to graduate from high school. There is a temporary exception until the class of 2013 for students who do not pass the mathematics assessment but take additional math courses. These students can still receive a diploma but do not receive the CAA. Science will be added as a requirement for both a CAA and graduation with the class of 2015. Students with disabilities who are not appropriately assessed using the regular assessment can earn a Certificate of Individual Achievement (CIA) based on their individual education plans.

First Class Required to Pass Assessment for Graduation	
Reading	2008
Writing	2008
Mathematics: Algebra OR Geometry	2013
Algebra AND Geometry	2015
Science (Biology)	2015

State Board of Education. The SBE has statutory authority to adopt statewide minimum graduation requirements. Current requirements for the Class of 2013 include 20 credits in specified subjects, a high school and beyond plan, and completion of a culminating project. In 2010 the SBE recommended a "Career & College Ready Graduation Framework" of 24 credits. However a law passed in 2009 requires any changes in graduation requirements to be forwarded to the Legislature for review. Changes with fiscal impact on districts must be formally authorized and funded before taking effect. In 2011 the SBE adopted changes within the 20 credit total starting with the Class of 2016: 1 additional English credit, 1/2 credit in Civics, move WA History to a non-credit requirement, reduce electives to 4.0, and allow certain career and technical courses to count both as occupational education and an academic course.

English	<b>3 credits</b> Reading, Writing, Communication
Mathematics	<b>3 credits</b> Algebra I, Geometry, Algebra II or alternative based on career plan
Science	<b>2 credits</b> <b>At least 1 in lab science</b> Physical, life, and earth
Social Studies	<b>2.5 credits</b> 1 - US History & Government 1 - Contemporary World Problems .5 - WA State History & Government
Arts	<b>1 credit</b>
Occupational Education	<b>1 credit</b>
Health & Fitness	<b>2 credits</b>
Electives	<b>5.5 credits</b>
<b>TOTAL</b>	<b>20 credits</b>

Local Requirements. School districts are authorized to grant high school diplomas to students who meet state and local graduation requirements. It is also up to each district to determine which courses meet the SBE credit requirements, as well as establish the format and content of the high school and beyond plan and the culminating project.

## Other Current Topics

### TEACHER/PRINCIPAL EVALUATION (TPEP)

2010 legislation (E2SSB 6696) requires school districts to establish revised systems for evaluating the performance of classroom teachers and principals. New evaluation criteria were established in statute describing expected skills and behavior. The evaluation systems must describe performance along a continuum using four levels (as opposed to "satisfactory/unsatisfactory") and indicate the extent the criteria have been met or exceeded.

The revised systems were first implemented as a pilot project called TPEP. Eight school districts and a consortium of small rural districts were selected to participate in development and piloting of the evaluation systems in 2010-11 and 2011-12. The pilot districts, along with OSPI and a stakeholder Steering Committee, developed models for the criteria, evaluation rubrics and rating systems, professional development, and evaluator training. The law required that all districts implement revised teacher and principal evaluation systems beginning in 2013-14.

In 2012, the Legislature enacted ESSB 5895, which added definitions and specificity to the revised evaluation systems, based in part on the work of the TPEP districts and Steering Committee. Other changes included requiring data on student growth (defined as a change in student achievement between two points in time) to be a substantial factor in evaluating the performance of a teacher or principal for at least three of the eight evaluation criteria. School districts must still begin implementation in 2013-14, but have a three-year phase-in period to transition all of their staff to the new system.

In addition to the pilot districts, funding has been provided for training on a regional basis to help districts transition to the new systems.

#### Major Provisions of ESSB 5895

- Requires districts to use one of three preferred frameworks for their evaluation systems, as designated by OSPI.
- Requires student growth data to be a substantial factor in at least three evaluation criteria.
- Requires comprehensive evaluations (all 8 criteria) at least once every four years and focused evaluations (1 selected criteria) for higher-performing staff in other years.
- Defines "not-satisfactory," with higher performance expected for more experienced staff.
- Provides for a phase-in of district implementation starting in 2013-14 with full transition by 2015-16.
- Beginning in 2015-16, requires evaluation results to be one of multiple factors in making human resource decisions, including reduction in force.
- Requires professional development for those conducting evaluations.

### COMMON CORE STATE STANDARDS & ASSESSMENTS

**Standards:** The Common Core State Standards is an initiative led by the National Governors Association and the Council of Chief State School Officers to develop K-12 learning standards in English Language Arts and Mathematics that can be used by multiple states. The standards were finalized in 2010. To date, 48 states have adopted the Common Core.

In Washington, E2SSB 6696 (2010) authorized the SPI to adopt the Common Core on a provisional basis by August 1, 2010, but prohibited further implementation until the Education Committees had an opportunity for further review. The SPI officially adopted the Common Core as Washington's learning standards in July 2011.

Within available funds, OSPI is providing technical assistance for school districts to implement the Common Core through quarterly webinars, presentations, transition plans, development of supporting materials, regional advisory groups, and other communication vehicles. School districts are expected to transition to the Common Core no later than 2014-15, which will be the first year student performance is assessed using the new standards .

**Assessment:** Washington is also the lead state in a consortium of 31 states that received a major federal grant in September 2010 to develop student assessments based on the Common Core. The SMARTER Balanced Assessment Consortium (SBAC) will produce a computer-based, adaptive summative test that measures student performance for NCLB purposes (grades 3-8 and 11), along with other aligned diagnostic and formative assessments that measure student progress and can be used by teacher and principals to improve instruction. Scheduled implementation is the 2014-15 school year. The assessments will be piloted in 2013-14.

**Next Generation Science:** Finally, there is another effort being led by Achieve, Inc. and the National Research Council (among other national science groups) to develop common standards in Science. Washington is a partner state in this effort. The Next Generation science standards are based on a conceptual framework developed in 2011 by the National Research Council. A first draft of the standards was released in May 2012 and they are expected to be completed in 2013. There is not yet an effort to develop a common assessment based on the standards.

## CHARTER SCHOOLS

In November 2012, Washington voters approved Initiative 1240 which authorizes the establishment of up to 40 charter schools over a five-year period. A charter school applicant must be a non-religious, nonprofit organization. Charter school applications may be authorized by a newly-established Washington Charter School Commission or by a local school board. A school board must be approved by the SBE before authorizing a charter school.

Charter schools are defined as being within the state system of common schools and receive public education funds in the same manner as other schools. They are exempt from all but a specified list of state laws but are still required to hire certified teachers, participate in state assessments and accountability, and comply with health, safety, and civil rights laws.

The new law specifies the process for authorizing and monitoring charter schools, and outlines the contents of charter school applications and the performance contract that must be executed between an authorizer and each school. A charter school can be a new school or be converted from an existing school with the agreement of a majority of teachers or parents of the school.

# Milestones in Education Reform

**1991** – Governor’s Council on Education Reform and Funding (GCERF) was created by Executive Order of Governor Gardner.

**1992** – **SSB 5953** was adopted, establishing the initial framework for education reform:

- Created the Commission on Student Learning to identify what all students need to know and be able to do in a performance-based education system
- Provided for development of Essential Academic Learning Requirements (EALRs) and authorized design of a statewide assessment system.
- Created the expectation that students earn a Certificate of Mastery for graduation.
- Removed certain “input” requirements (credits, hours, required instruction) from law.

**1993** – As result of GCERF recommendations, **ESHB 1209** was adopted. ESHB 1209 modified SSB 5953 and is widely considered “the” education reform law in Washington.

- Articulated the four State Learning Goals.
- Established timelines for development of EALRs and statewide assessments.
- Made the graduation requirement of a Certificate of Mastery contingent on the high school assessment being found valid and reliable.
- Directed the Commission on Student Learning to develop recommendations for providing assistance to students, intervention in struggling schools, and awards and incentives.
- Created the Joint Select Commission on Education Restructuring to monitor the progress of the reforms and recommend modification of regulations.
- Created a Legislative Fiscal Study Committee to study the common school funding system and recommend a new funding model by 1995.

**1996** – ESHB 2695 made a number of significant adjustments, but was vetoed by the Governor.

- Delayed assessment implementation timelines, made some elementary assessments voluntary, and directed the Commission to revise the timelines for other assessments.
- Repealed the Certificate of Mastery as a graduation requirement and directed the State Board of Education to study the issue.

**1997** – ESHB 6072 modified assessment timelines and required the Commission, SPI, and SBE to make recommendations regarding the Certificate of Mastery and high school graduation.

- The agencies recommended the Certificate be required starting with the Class of 2006.

The 4<sup>th</sup> grade WASL for reading, writing, and math became mandatory statewide.

**1999** –SSB 5418 created the Academic Achievement and Accountability Commission to provide a framework for an accountability system.

- Directed the A+ Commission to adopt and revise student improvement goals; adopt cut scores on the WASL; identify schools for success, assistance, and intervention.
- Transferred Commission on Student Learning responsibilities for the EALRs and assessment system
- Directed schools to adopt improvement goals for math in 4<sup>th</sup> and 7<sup>th</sup> grades.

**2000** – State Board of Education **adopted a rule** requiring the Certificate of Mastery for high school graduation starting with the **Class of 2008**.

**WASL in 7<sup>th</sup> and 10<sup>th</sup> grade** for reading, writing, and math became mandatory statewide.

**2004** - **3ESHB 2195** made significant modifications to the achievement and assessment system:

- Renamed the Certificate of Mastery as the Certificate of Academic Achievement. Created the Certificate of Individual Achievement for special education students.
- Established in statute that the CAA is earned through success in reading, writing, and math on the high school assessment and is a requirement for high school graduation for the class of 2008. Science is added for the class of 2010.
- Directed SPI to develop alternative assessments, of equal rigor, for the high school WASL, but made implementation subject to Legislative approval.

**2005** - ESSB 5732 abolished the A+ Commission and transferred its responsibilities for achievement and accountability to a **newly re-constituted State Board of Education**.

**2006** - ESSB 6475 authorized implementation of **alternative assessments** for graduation purposes, including a collection of evidence, cohort-grades comparison, and use of other test scores such as SAT or ACT. Authorized SPI to establish an appeals process.

Under **NCLB**, testing of students in reading and mathematics is extended to each of grades 3-8 and 10. State assessments previously had been only for grades 4, 7, and 10.

**2007** - ESSB 6023 created a **temporary exemption** until the class of 2013 for students to pass the **math WASL** for graduation and **delayed the science requirement** to the class of 2013.

- Provisions that declared legislative intent to change the high school math and science WASL to an end-of-course assessment and directed the SBE to examine the issue were vetoed by the Governor.

**2008** - ESHB 3166 required **revisions of the WASL**:

- Shortening of the test in elementary and middle grades, except for writing.
- Development of end-of-course assessments for high school math.

**First graduating class** required to pass reading and writing assessment to earn a diploma.

**2009** - SSB 5414 continued **revisions of the WASL** by further shortening the test at all grades and modifying the implementation of the new end-of-course assessments in math.

**2010** - Based on SBE recommendations, E2SSB 6696 established an **accountability system** that includes recognition of successful schools and districts and a process for required action in districts with persistently low performing schools, according to federal definitions.

**2011** - ESHB 1410 required development of an end-of-course assessment for **high school science** and delayed the graduation requirement until the class of 2015. HB 1412 allowed the classes of 2013 and 2014 to pass one (rather than both) end-of-course assessment for **math**.

## Recent History of Basic Education Finance Reform

- 2004** - A **House K-12 Finance Workgroup** examined the K-12 funding formulas and concluded that although the overall funding structure was responsive to student enrollment and student characteristics, the structure could be better aligned with state education policies.
- 2005/** - Legislation created **Washington Learns**, with a Governor-chaired Steering Committee and advisory committees for Early Learning, K-12, and Higher Education. The K-12 Committee commissioned a funding analysis "to identify how best to distribute current dollars and whether additional funding is necessary to achieve Washington's standards." Drs. Larry Picus and Allen Odden, national consultants in K-12 finance, recommended a funding allocation model and a level of funding based on the resources that a "prototypical" school would need to provide a quality education for students. The WA Learns final report recommended continued work on a ten-year strategy to redefine Basic Education and increase funding.
- 2006**
- 2007/-** The Legislature created the **Joint Task Force on Basic Education Finance** to review and propose a new definition of Basic Education and develop options for a new, aligned funding structure and formulas. The Task Force re-examined the Picus-Odden study and considered other comprehensive policy and funding proposals. The final report called for revising Basic Education to include increased instructional hours and graduation requirements; supplemental instruction for struggling, ELL, and gifted students; and early learning for at-risk children. It also recommended a revised educator compensation system and significantly increased funding for Basic Education (with formulas based on a prototypical school model) and pupil transportation.
- 2008**
- 2009** - **ESHB 2261 (Basic Education)** established a new definition of Basic Education, to be phased-in beginning in 2011 concurrently with the resources necessary to support it and according to a schedule adopted by the Legislature; established the framework for a funding formula based on prototypical schools; adopted a new pupil transportation funding formula as of 2013; directed the SBE and PESB to continue their work on accountability and educator certification; created working groups on the funding formula, compensation, data, and local finance; and established the Quality Education Council to oversee short-term implementation and provide long-term strategic recommendations. Provisions adding early learning to Basic Education were vetoed.
- 2010** - **SHB 2776 (Basic Education Funding Formulas)** adopted details of and set forth in statute baseline funding values for the prototypical school formula; implemented the new pupil transportation formula in 2011; and adopted a schedule for enhancements of funding for K-3 class size, full-day kindergarten, and maintenance, supplies, and operating costs.
- 2012** - The **Joint Task Force on Education Funding** was established to develop a proposal for a reliable and dependable funding mechanism to support Basic Education, and particularly the enhancements under ESHB 2261 and SHB 2776. A report was due December 31, 2012.

# No Child Left Behind/Elementary and Secondary Education Act

## Summary of Selected Provisions & 2012 Waiver

In January 2002, the federal No Child Left Behind (NCLB) Act was signed into law as the most recent reauthorization of the Elementary and Secondary Education Act (ESEA) first passed in 1965. The law's stated purpose is to close the achievement gaps between high- and low-performing students. Selected provisions include:

### Standards and Assessment

- States must adopt challenging academic standards in Mathematics, Language Arts, and Science that apply to all children and specify what children are expected to know and be able to do.
- Annual assessments, based on the state's standards, must be given every year in math and reading between grades 3 and 8, as well as in at least one high school grade. Science assessments must be given in elementary, middle, and high school.
- All students must be assessed, including those in special education and with limited English proficiency (LEP). LEP students must take their Language Arts assessment in English if they have attended schools in the United States for three consecutive years.
- All LEP students must take an annual English proficiency assessment.

### Performance Goal and Adequate Yearly Progress (AYP)

- All students are expected to reach proficiency in Language Arts and Mathematics by 2013-14. States must set annual benchmarks (AYP) for increasing performance to reach this goal, which apply to all schools in the state.
- AYP is reported for each school as a whole and broken out into the following student subgroups: economically disadvantaged students, students from major racial or ethnic groups, LEP students, and students with special needs.
- At a minimum, schools must meet two requirements to make AYP: schools must ensure that 95% of students take the assessments and the school as a whole, and each subgroup must meet the performance benchmarks and meet one other factor established by the state. For high schools, Washington uses extended graduation rates. For elementary and middle schools, attendance rates is used.

### Corrective Action (Applying only to Schools receiving Title I Funds)

- Schools that fail to make AYP for 2 consecutive years are identified for corrective action:
  - The family is offered the option to transfer to another public school of its choice within the district. The district must pay for transportation from Title I funds required to be set aside for this purpose.
  - The lowest achieving students from low-income families must be given first preference.
- Each successive failure to achieve AYP generates an increasing set of corrective actions.

- Supplemental Educational Services (SES) or tutoring from an approved list of providers are arranged if the school fails to make AYP for 3 years. This is also paid by Title I funds that must be set aside for this purpose.
- If a school fails to make AYP for 5 years, the district must restructure the school.
- If the school fails to make AYP for a sixth year, alternative governance must be implemented.

### Staff Qualifications

- Teachers of core academic subjects must earn state certification or achieve the qualifying score on the appropriate content test in order to be considered "Highly Qualified."
- Paraprofessionals in Title I schools must have completed 2 years of higher education, earned an associate's degree or passed a formal state or local assessment.
- Families must be notified when their children are taught for more than 4 weeks by teachers who are not Highly Qualified.

### 2012 ESEA Waiver from US Department of Education

The NCLB/ESEA has been scheduled for reauthorization for several years but a reauthorization proposal has not yet been approved by Congress. In 2011, the US DOE announced an opportunity for states to apply for a waiver of many ESEA provisions. Washington received a waiver in July 2012. As of November 2012, 33 states have received a waiver.

Waiver states must agree to implement four broad principles:

1. Ensure college and career ready expectations for students by adopting the Common Core State Standards and implementing aligned assessments.
2. Implement a state-developed system of recognition, accountability, and support based on school performance.
3. Support effective instruction and leadership, including through evaluation systems.
4. Reduce duplication and administrative burden on school districts.

In return, states receive flexibility in the following areas:

- Replacing the current 100% proficiency goal with different Annual Measurable Objectives (AMOs) for Language Arts and Mathematics, including the opportunity for states to design their own performance metrics that include measures of student growth.
- Replacing AYP and associated corrective actions for schools with a new focus on a subset of the lowest-achieving Title I schools in the state, including removing required set-asides of Title I funds for school choice and SES.

Requirements for annual assessments and Highly Qualified teachers remain.

Washington received a provisional one-year waiver and before July of 2013 must submit additional work on the Washington Achievement Index and how it would be used to measure school performance, as well as a state system of recognition, accountability, and support.

# Acronyms and Other Widely Used Terms

## Organizations

AWSP	Association of Washington School Principals
LEV	League of Education Voters
PFL	Partnership for Learning
PSE	Public School Employees of Washington
WACTE	Washington Association of Colleges of Teacher Education
WASA	Washington Association of School Administrators
WASBO	Washington Association of School Business Officers
WEA	Washington Education Association
WSSDA	Washington State School Directors' Association

## Agencies

SPI	Superintendent of Public Instruction
OSPI	Office of the Superintendent of Public Instruction
SBE	State Board of Education
PESB	Professional Educator Standards Board
QEC	Quality Education Council
OEO	Office of the Education Ombudsman
EOGOAC	Educational Opportunity Gap Oversight & Accountability Committee
ESD	Education Service District
CISL	Center for the Improvement of Student Learning (an office within the OSPI)
DLD	Digital Learning Department (an office within OSPI overseeing online learning)
FEPPP	Financial Education Public Private Partnership
DEL	Department of Early Learning

## Washington Acronyms

ALE	Alternative Learning Experience (largely non-classroom based program, including online)
BEA	Basic Education Act (sometimes refers to the 1977 Act; other times to Basic Education generally)
CAA	Certificate of Academic Achievement (earned by passing specified high school assessments)
CBA	Classroom Based Assessments
CIA	Certificate of Individual Achievement (CAA-equivalent for special education students)
CIS	Certificated Instructional Staff (includes teachers and other certificated school staff such as counselors, psychologists, nurses, etc.)
EALR	Essential Academic Learning Requirements (Washington's learning standards)
EOC	End-of-Course Assessment
GLE	Grade Level Expectations (the EALRs broken down by grade)
HSPE	High School Proficiency Exam (new name for state high school assessments)
LAP	Learning Assistance Program (supplemental funding and instruction for struggling students)
LEA	Local Effort Assistance (proper name for the levy equalization program that assists districts with high property tax rates)

MAP	Measures of Academic Progress (a privately-run student assessment used in many districts)
MSOC	Maintenance, Supplies, & Operating Costs (an allocation in the Basic Ed funding formula)
MSP	Measures of Student Progress (new name for state elementary/middle school assessments)
NERC	Non-Employee Related Costs (an allocation in the old funding formula, replaced by MSOC)
TRI	Time, Responsibilities, Incentives (supplemental salary contracts allowed by law)
WASL	Washington Assessment of Student Learning (old name for state assessments)

### National or Federal Acronyms

504	Section 504 of the Rehabilitation Act of 1973 (requires accommodations for students with disabilities who do not qualify for special education)
AMO	Annual Measurable Objectives (federal performance benchmarks for schools and districts)
AP	Advanced Placement
AYP	Adequate Yearly Progress (a measure of accountability in improving student achievement)
CTE	Career and Technical Education
ESEA	Elementary and Secondary Education Act
FERPA	Family Educational Rights and Privacy Act
FRL	Free and Reduced Price Lunch (measure of low income students)
IB	International Baccalaureate (a rigorous middle/high school program)
IEP	Individualized Education Program (required learning plan for students with disabilities)
IDEA	Individuals with Disabilities Education Act
LEA	Local Education Agency (federal term for "school district")
NAEP	National Assessment of Educational Progress (the only nation-wide assessment)
NBPTS	National Board for Professional Teaching Standards
NCLB	No Child Left Behind (the 2001 reauthorization of the ESEA)

### Miscellaneous

Becca	Law requiring school/court actions to address unexcused absences (truancy) from school.
CAA Options	The alternative forms of assessment that students can use for graduation purposes if they are not successful on the state assessments.
Doran	Thurston County Superior Court Judge Robert Doran, author of several pivotal decisions regarding Basic Education in the late 1970's and 1980's.
McCleary	A major lawsuit challenging the adequacy of overall state K-12 funding under Article IX of the State Constitution. In January 2012 the WA Supreme Court held that the State had not complied with its duty to make ample provision for the education of all children in WA.
Navigation 101	Comprehensive guidance counseling, mentoring, and college and career planning program.
Running Start	Program where high school students attend public colleges and universities and earn both high school and college credit.
1209	ESHB 1209 (1993) - Washington's Education Reform Act
2261	ESHB 2261 (2009) - Basic Education/Finance Reform Act
2776	SHB 2776 (2010) - Continuation of Basic Education Finance Reform
I-728	Initiative 728 (2000) - Requiring specified per-student allocations. Repealed in 2012.
I-732	Initiative 732 (2001) - Requiring salary cost-of-living adjustments for education employees
I-1240	Initiative 1240 (2012) - Authorizing establishment of charter schools

## K-12 Quick Facts

Number of school districts 295  
 Largest: Seattle (King County) 48,610 students  
 Smallest: Benge (Adams County) 8 students

Number of schools More than 2,200

Number of students (headcount October 2012) 1,044,613

### 2011-12 - Personnel Summary Report (headcount)

Number of classroom teachers 67,684  
 Number of principals & vice principals 2,823  
 Number of librarians 1,248  
 Number of counselors 2,289

### Student Demographics - 2012 (based on new reporting rules):

#### Includes both Hispanic & Non-Hispanic

Native American	4.1%	Low Income (FRL)	45.5%
Asian	7.4%	Bilingual Program	8.4%
Pacific Islander	1.0%	Migrant	1.8%
Black	4.9%	Special Education	13.2%
Two or More Races	7.1%		
White	75.6%	Hispanic (includes all races)	19.6%

### Students Meeting Standard on State Assessment (2011-12)

Grade Level	Reading	Math	Writing	Science
3rd Grade	68.8%	65.3%		
4th Grade	71.5%	59.4%	61.4%	
5th Grade	71.1%	63.8%		66.3%
6th Grade	70.1%	61.5%		
7th Grade	71.3%	59.2%	71.0%	
8th Grade	67.3%	55.2%		66.4%
10th Grade	81.3%	Alg I 71.1% Geom 79.1%	85.4%	Biol 64.3%

On-Time Graduation Rate (within 4 years) 76.6% (Class of 2011)  
 Extended Graduation Rate (more than 4 years) 78.2% (Class of 2011)

Number of approved WA Colleges of Education 21  
 Number of new residency teaching certificates issued 4,389 (2010)